

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Darrick Flowers,

Civil No. 10-1555 (RHK/AJB)

Plaintiff,

**ORDER**

v.

D. Dubbs, Associate Warden, et al.,

Defendants.

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The undersigned has reviewed de novo the May 9, 2011 Report and Recommendation of Chief Magistrate Judge Arthur J. Boylan and Plaintiff's Objections thereto and concluded that Judge Boylan's recommended disposition is fully supported by the record before him and supported by controlling legal principles.

Accordingly, and upon all the files and records, and proceedings herein, **IT IS**

**ORDERED:**

1. Plaintiff's Objections (Doc. No. 28) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 25) is **ADOPTED**;
3. Defendants' Motion to Dismiss (Doc. No. 14) is **GRANTED**; and
4. Plaintiff's Complaint (Doc. No. 1) is **DISMISSED WITH PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: June 13, 2011

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge